

Appl. No. 10/027,400
Amtd. dated August 16, 2004
Reply to Office Action of July 16, 2004

PATENT

REMARKS

Claims 1-36 are pending in the application. The Action restricts the invention into 11 groups as follows:

Group I: claims 1-12 and 23, drawn to selected polynucleotides and compositions containing selected polynucleotides, classified in class 435, subclasses 69.1 and 320.1.

Group II: claims 9 and 10, drawn to a transgenic cell, classified in class 800, subclass 8.

Group III: claim 13, drawn to a method of evaluating a compound as an agonist or antagonist of a selected receptor, classified in class 435, subclass 6.

Group IV: claims 14-22 and 26-29 drawn to selected polypeptides and compositions containing the polypeptides, classified in class 530, subclass 399.

Group V: claim 24, drawn to a method of introducing selected polypeptide activity into a cell, classified in class 435, subclass 4.

Group VI: claim 25, drawn to a method of evaluating the presence of a ligand for a selected receptor, classified in class 435, subclass 7.1.

Group VII: claim 30, drawn to a method of modulating activity of selected polypeptides, classified in class 435, subclass 7.1

Group VIII: claims 31 and 32, drawn to a method of screening a compound that inhibits the binding of selected polypeptides, classified in class 435, subclass 7.1.

Group IX: claim 33, drawn to a method of binding between two selected proteins, classified in class 435, subclass 7.1.

Group X: claim 34, drawn to a method of purifying a polypeptide capable of binding a selected receptor kinase region, classified in class 530, subclass 413.

Group XI: claims 35-36, drawn to a method of purifying a nucleic acid encoding a polypeptide capable of binding a selected receptor kinase region, classified in class 435, subclass 6.

In compliance with the requirement, Applicants elect to prosecute the invention of **Group VIII, claim 31 and 32**. This election is made with traverse.

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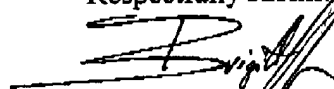
Applicants respectfully request redefinition of the groups in the interest of administrative efficiency and consistent with art recognized classifications. In particular, Applicants request the following: Combination of VI and VIII, drawn to a method for assaying the presence of a ligand for a selected receptor; and a method of selecting a molecule capable of inhibiting binding of selected polypeptides; respectively, into one group. The suggested combination is believed to be more consistent with accepted use and Applicants respectfully request adaptation. Specifically, the methods grouped into groups VI and VIII, can be searched together without placing an undue search burden on the Examiner, particularly because the methods refer to molecules or ligands that all bind the hPDGF receptor. In fact, MPEP 808.02 states the following: "Where, however, the classification is the same and the field of search is the same and there is no clear indication of separate future classification and field of search, no reasons exist for dividing among related inventions."¹ Thus, Applicants respectfully request that the Examiner reconsider the restriction requirement and examine Groups VI and VIII together.

CONCLUSION

In summary, Applicants elect Group VIII in compliance with the requirement. The election is made with traverse. Applicants respectfully request redefinition of the groups such as the combination of Groups VI and VIII into one group.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 415-576-0200.

Respectfully submitted,



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¹ MPEP 808.02 Related Inventions; (C) A different Field of search

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